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643 naval forces for the maintenance of order.

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Under the governor-general, were a secretariat, several administrative departments, which included home affairs, education, finance, police, communication, agriculture, and industry, and monopoly bureaus and research institutes. There was also an advisory council with forty councilors, all appointed by the governor-general, who was its chairman. The term of office for the councilors was two years. "In case of necessity, however, the governor-general of Taiwan is authorized to relieve any councilor of his post before the expiration of his office term."³ The prerogatives of the council were "to announce its opinions in reply to questions submitted thereto by the governor-general regarding important matters of administration."⁴ The councilors were appointed from among high-ranking government officials and resident citizens "rich in scholarship and experience." "Clearly, this is a purely bureaucratic institution. The people of Taiwan have no representatives in the Japanese Imperial Diet; they have no representative body which takes

3. The Organization of the Council, Imperial Ordinance No. 248, June 1, as revised on June 28, 1930 by Imperial Ordinance No. 128, Article IV.

4. Ibid., Article I.

643 autonomous character, and real military control is exercised directly by the President.⁵

645 The tenure of office of the President and Vice-President is six years, with eligibility for a second term. The office of the President is called Tsung-t'ung-fu. Supervising the President's secretariat are a Secretary-General, a deputy Secretary-General, and a Director of Military Affairs (often referred to as Personal Chief of Staff to the President), under whom there are three bureaus in charge of civil affairs, military affairs, and general administration, respectively. Attached to the Tsung-t'ung-fu are a number of tzu-cheng (senior political advisers) most of whom are retired high officials. The present Secretary-General is General Chang Ch'ün, a former Prime-Minister, and General Huang Chen-ch'iu, former Vice-Minister of National Defense, is the Director of Military Affairs.

5. Joseph W. Ballantine, Formosa, A Problem for United States Foreign Policy, Washington, D. C., Brookings Institution, 1952, p. 98.

646 proposal to raise the rate of electricity, the bills were first severely criticized and rejected, but they were adopted when the Executive Yuan requested re-consideration. 11

Although the censorial power is allocated to a different branch of the government, the Legislative Yuan has the right to interpellate the President and the heads of the various ministries and commissions of the Executive Yuan on their administrative policies and activities. This right of inquiry has been frequently exercised by the present Legislature. In one such inquiry, a serious case¹² of corruption involving the Minister of Economic Affairs was bared. Court action ensued and the Minister of Economic Affairs was compelled to resign.

B. The Executive Yuan

645 The Executive Yuan, comparable to the cabinet in other countries, is the highest administrative organ in Nationalist China. All

11. The Executive Yuan may request the Legislature to reconsider a resolution only with the approval of the President of the Republic. The President has no veto power, nor has he any power to dissolve the Legislature Yuan.

12. The case of the Yangtze Lumber Company.

- 645 the provincial governments and a number of large municipalities¹³ are under the direct supervision of the Executive Yuan.

There are eight ministries and two commissions under the Executive Yuan.¹⁴ The President and the Vice-President of the Executive Yuan, together with the eight ministers, two chairmen of the commissions, the ministers and chairmen of the commissions are called the Ministers of State, and five to seven ministers without portfolio form the Executive Yuan Council to which all statutory and budgetary bills, important state affairs, and matters of common concern are submitted for discussion and decision. Assisting the President and Vice-President of the Executive Yuan, and of the other four Yuan, are a Secretary-General and a Deputy Secretary-General. Directly under the

13. Twelve large metropolises like Shanghai, Canton, and Peiping are under the direct jurisdiction of the Central Government. Other cities are under the jurisdiction of the provincial government.

14. Before the removal of the Central Government to Formosa, there were fourteen ministries and ~~three~~ commissions. The reorganization took place in March 1948.

647 Directly under the

Executive Yuan there are also a number of subordinate organs. They are: the office of the Comptroller-General, the Government Information Bureau, the Council for United States Aid, the Economic Stabilization Board, the Planning Board, and the Commission on Rationing for the Central Government Personnel.

645 The President of the Executive Yuan or the Premier is nominated and appointed by the President with the consent of the Legislative Yuan, but other members of the Yuan, including the Vice-President, the ministers of various departments and heads of the commissions, and the ministers without portfolio, are nominated by the Premier to the President of the Republic; appointments are made by the latter without consulting the Legislative Yuan. Therefore, legally speaking, the President of the State is responsible to the people as represented by the National Assembly, the Premier (President of the Executive Yuan) is responsible to the President and the Legislature jointly, and the Ministers are responsible to the President and the Premier jointly.

According to the Constitution, ¹⁵ the President of the Executive Yuan resigns if an

15. Article 57.

645 Important government bill is rejected by the
Legislative Yuan and his request for reconsidera-
tion is overruled by two-thirds of the
643 attending members. The Constitution provides
645 that the President of the Republic, in
accordance with law, "appoints and removes
civil and military officers,"¹⁶ but it is not
definitely stated whether the President of
the Republic may dismiss at will a President
of the Executive Yuan whom he has appointed
with the consent of the Legislative Yuan.
However, the President could always compel
the Premier to resign by refusing to sign
the decrees or orders presented by the latter
for promulgation. So far no such case has
occurred. There is no collective responsibility.
The Premier alone is responsible to the
Legislative Yuan. Theoretically, the Ministers
of State do not have to resign in bloc when the
President of the Yuan resigns; however, in
practice, a new Premier has been free to
choose new personnel to fill all the Ministerial
posts. In the last reorganization of the
Executive Yuan only one minister and one
chairman of a commission¹⁷ and four ministers
without portfolio retained their posts.

16. Article 41.

17. George Yeh, Minister of Foreign Affairs,
and Cheng Yin-fun, Chairman of the Overseas
Affairs Commission.